

INVIVO THERAPEUTICS HOLDINGS CORP.

Form 10-Q

May 07, 2015

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**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**

Washington, DC 20549

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**FORM 10-Q**

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**QUARTERLY REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934**

For the quarterly period ended March 31, 2015

or

**TRANSITION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934**

For the transition period from \_\_\_\_\_ to \_\_\_\_\_.

Commission File Number: 001-37350

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## InVivo Therapeutics Holdings Corp.

(Exact name of registrant as specified in its charter)

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**Nevada**  
(State or other jurisdiction of  
incorporation or organization)

**36-4528166**  
(I.R.S. Employer  
Identification Number)

**One Kendall Square**

**Suite B14402**

**Cambridge, MA**  
(Address of principal executive offices)

**02139**  
(Zip code)

**(617) 863-5500**

(Registrant's telephone number, including area code)

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Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes  No

Indicate by check mark whether the registrant has submitted electronically and posted on its corporate Web site, if any, every Interactive Data File required to be submitted and posted pursuant to Rule 405 of Regulation S-T (§232.405 of this chapter) during the preceding 12 months (or for such shorter period that the registrant was required to submit and post such files). Yes  No

Indicate by check mark whether the registrant is a large accelerated filer, an accelerated filer, a non-accelerated filer, or a smaller reporting company. See the definitions of large accelerated filer, accelerated filer, and smaller reporting company in Rule 12b-2 of the Exchange Act.

Large accelerated filer

Accelerated filer

Non-accelerated filer   
(Do not check if a smaller reporting company)

Smaller reporting company

Indicate by check mark whether the registrant is a shell company (as defined in Rule 12b-2 of the Exchange Act). Yes  No

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As of April 30, 2015, 26,561,815 shares of the registrant's common stock, \$0.00001 par value, were issued and outstanding.

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**INVIVO THERAPEUTICS HOLDINGS CORP.**

**Quarterly Report on Form 10-Q for the Quarter Ended March 31, 2015**

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Table of Contents**PART I FINANCIAL INFORMATION****SPECIAL NOTE**

All share number and share prices presented in this Quarterly Report on Form 10-Q have been adjusted to reflect the 1-for-4 reverse stock split of InVivo Therapeutics Holdings Corp.'s common stock effected on April 8, 2015.

**Item 1. Financial Statements.****InVivo Therapeutics Holdings Corp.****Consolidated Balance Sheets**

(In thousands, except share and per-share data)

(Unaudited)

	March 31, 2015	As of	December 31, 2014
<b>ASSETS:</b>			
Current assets:			
Cash and cash equivalents	\$ 24,516	\$	13,459
Restricted cash	361		422
Prepaid expenses and other current assets	543		1,072
Total current assets	25,420		14,953
Property, equipment and leasehold improvements, net	1,431		1,605
Other assets	130		135
Total assets	\$ 26,981	\$	16,693
<b>LIABILITIES AND STOCKHOLDERS EQUITY:</b>			
Current liabilities:			
Accounts payable	\$ 793	\$	569
Loan payable-current portion	320		320
Note payable-current portion			18
Derivative warrant liability	12,644		7,224
Accrued expenses	1,364		1,044
Total current liabilities	15,121		9,175

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Loan payable	1,600	1,600
<b>Total liabilities</b>	<b>16,721</b>	<b>10,775</b>
<b>Commitments and contingencies</b>		
<b>Stockholders' equity:</b>		
Common stock, \$0.00001 par value, authorized 50,000,000 shares; issued and outstanding 26,011,852 and 23,453,000 shares at March 31, 2015 and December 31, 2014, respectively.	1	1
Additional paid-in capital	126,344	106,172
Accumulated deficit	(116,085)	(100,255)
<b>Total stockholders' equity</b>	<b>10,260</b>	<b>5,918</b>
<b>Total liabilities and stockholders' equity</b>	<b>\$ 26,981</b>	<b>\$ 16,693</b>

See notes to the unaudited consolidated financial statements.

(Reflects 1-for-4 reverse stock split effective April 8, 2015)

Table of Contents**InVivo Therapeutics Holdings Corp.****Consolidated Statements of Operations****(In thousands, except share and per-share data)****(Unaudited)**

	<b>Three Months Ended</b>	
	<b>March 31,</b>	
	<b>2015</b>	<b>2014</b>
Operating expenses:		
Research and development	\$ 2,303	\$ 3,242
General and administrative	3,208	1,829
Total operating expenses	5,511	5,071
Operating loss	(5,511)	(5,071)
Other income (expense):		
Interest income	1	1
Interest expense	(34)	(33)
Derivatives gain (loss)	(10,286)	
Other income (expense), net	(10,319)	(32)
Net loss	\$ (15,830)	\$ (5,103)
Net loss per share, basic	\$ (0.64)	\$ (0.28)
Net loss per share, diluted		